

In the House of Representatives, U. S.,

July 17, 2018.

Resolved, That the bill from the Senate (S. 717) entitled “An Act to promote pro bono legal services as a critical way in which to empower survivors of domestic violence.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Pro bono Work to Em-*
3 *power and Represent Act of 2018” or the “POWER Act”.*

4 ***SEC. 2. FINDINGS.***

5 *Congress finds the following:*

6 (1) *Extremely high rates of domestic violence,*
7 *dating violence, sexual assault, and stalking exist at*
8 *the local, State, tribal, and national levels and such*
9 *violence or behavior harms the most vulnerable mem-*
10 *bers of our society.*

11 (2) *According to a study commissioned by the*
12 *Department of Justice, nearly 25 percent of women*
13 *suffer from domestic violence during their lifetime.*

14 (3) *Proactive efforts should be made available in*
15 *all forums to provide pro bono legal services and*

1 *eliminate the violence that destroys lives and shatters*
2 *families.*

3 *(4) A variety of factors cause domestic violence,*
4 *dating violence, sexual assault, and stalking, and a*
5 *variety of solutions at the local, State, and national*
6 *levels are necessary to combat such violence or behav-*
7 *ior.*

8 *(5) According to the National Network to End*
9 *Domestic Violence, which conducted a census includ-*
10 *ing almost 1,700 assistance programs, over the course*
11 *of 1 day in September 2014, more than 10,000 re-*
12 *quests for services, including legal representation,*
13 *were not met.*

14 *(6) Pro bono assistance can help fill this need by*
15 *providing not only legal representation, but also ac-*
16 *cess to emergency shelter, transportation, and*
17 *childcare.*

18 *(7) Research and studies have demonstrated that*
19 *the provision of legal assistance to victims of domestic*
20 *violence, dating violence, sexual assault, and stalking*
21 *reduces the probability of such violence or behavior re-*
22 *occurring in the future and can help survivors move*
23 *forward.*

24 *(8) Legal representation increases the possibility*
25 *of successfully obtaining a protective order against an*

1 *attacker, which prevents further mental and physical*
 2 *injury to a victim and his or her family, as dem-*
 3 *onstrated by a study that found that 83 percent of*
 4 *victims represented by an attorney were able to ob-*
 5 *tain a protective order, whereas only 32 percent of*
 6 *victims without an attorney were able to do so.*

7 *(9) The American Bar Association Model Rules*
 8 *include commentary stating that “every lawyer, re-*
 9 *gardless of professional prominence or professional*
 10 *workload, has a responsibility to provide legal services*
 11 *to those unable to pay, and personal involvement in*
 12 *the problems of the disadvantaged can be one of the*
 13 *most rewarding experiences in the life of a lawyer”.*

14 *(10) As leaders in their legal communities,*
 15 *judges in district courts should encourage lawyers to*
 16 *provide pro bono resources in an effort to help victims*
 17 *of such violence or behavior escape the cycle of abuse.*

18 *(11) A dedicated army of pro bono attorneys fo-*
 19 *cused on this mission will inspire others to devote ef-*
 20 *forts to this cause and will raise awareness of the*
 21 *scourge of domestic violence, dating violence, sexual*
 22 *assault, and stalking throughout the country.*

23 *(12) Communities, by providing awareness of*
 24 *pro bono legal services and assistance to survivors of*
 25 *domestic violence, dating violence, sexual assault, and*

3 *SEC. 3. DISTRICT COURTS TO PROMOTE EMPOWERMENT*
4 *EVENTS.*

(a) *IN GENERAL.*—Not later than 1 year after the date of enactment of this Act, and annually thereafter for a period of 4 years, the chief judge, or his or her designee, for each judicial district shall lead not less than one public event, in partnership with a State, local, tribal, or territorial domestic violence service provider or coalition and a State or local volunteer lawyer project, promoting pro bono legal services as a critical way in which to empower survivors of domestic violence, dating violence, sexual assault, and stalking and engage citizens in assisting those survivors.

(b) *DISTRICTS CONTAINING INDIAN TRIBES AND TRIBAL ORGANIZATIONS.*—During each 2-year period, the chief judge, or his or her designee, for a judicial district that contains an Indian tribe or tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) shall lead not less than one public event promoting pro bono legal services under subsection (a) of this section in partnership with an Indian tribe or tribal organization with the intent of increasing the provision of pro bono legal services for

1 *Indian or Alaska Native victims of domestic violence, dat-*
 2 *ing violence, sexual assault, and stalking.*

3 (c) *REQUIREMENTS.—Each chief judge shall—*

4 (1) *have discretion as to the design, organiza-*
 5 *tion, and implementation of the public events re-*
 6 *quired under subsection (a); and*

7 (2) *in conducting a public event under sub-*
 8 *section (a), seek to maximize the local impact of the*
 9 *event and the provision of access to high-quality pro*
 10 *bono legal services by survivors of domestic violence,*
 11 *dating violence, sexual assault, and stalking.*

12 **SEC. 4. REPORTING REQUIREMENTS.**

13 (a) *REPORT TO THE DIRECTOR OF THE ADMINISTRA-*
 14 *TIVE OFFICE OF THE UNITED STATES COURTS.—Not later*
 15 *than October 30 of each year, each chief judge shall submit*
 16 *to the Director of the Administrative Office of the United*
 17 *States Courts a report detailing each public event conducted*
 18 *under section 3 during the previous fiscal year.*

19 (b) *REPORT TO CONGRESS.—*

20 (1) *IN GENERAL.—Not later than January 1 of*
 21 *each year, the Director of the Administrative Office of*
 22 *the United States Courts shall submit to Congress a*
 23 *compilation and summary of each report received*
 24 *under subsection (a) for the previous fiscal year.*

1 (2) *REQUIREMENT.*—*Each comprehensive report*
2 *submitted under paragraph (1) shall include an anal-*
3 *ysis of how each public event meets the goals set forth*
4 *in this Act, as well as suggestions on how to improve*
5 *future public events.*

6 **SEC. 5. FUNDING.**

7 *The Administrative Office of the United States Courts*
8 *shall use existing funds to carry out the requirements of*
9 *this Act.*

Attest:

Clerk.

115TH CONGRESS
2^D SESSION

S. 717

AMENDMENT